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6                   UNITED STATES DISTRICT COURT  
7                   WESTERN DISTRICT OF WASHINGTON  
8                   AT TACOMA

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10                  EUGENE A. YOUNG,

11                   Petitioner,

12                  v.

13                  RON HAYNES,

14                   Respondent.

15                   CASE NO. 3:18-cv-5250-RBL-JRC

16                   **ORDER ADOPTING REPORT  
17                   AND RECOMMENDATION**

18                  The Court, having reviewed the Report and Recommendation of Magistrate Judge J.  
19 Richard Creatura, objections to the Report and Recommendation, if any, and the remaining  
20 record, does hereby find and **ORDER**:

21                  (1)     The Court adopts the Report and Recommendation.

22                  (2)     Because petitioner failed to exhaust his claims and is now procedurally barred  
23 from returning to state court to do so, his amended petition is **DENIED**.

24                  (3)     A certificate of appealability with respect to this petition is also **DENIED**.

25                  **DATED** this 2<sup>nd</sup> day of May, 2019.

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29                  Ronald B. Leighton  
30                  United States District Judge